

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

**TRANS ENERGY, INC., a Nevada
Corporation; REPUBLIC PARTNERS
VI, LP, a Texas limited partnership;
REPUBLIC ENERGY VENTURES, LLC,
a Delaware Limited Liability Company; and
PRIMA OIL COMPANY, INC., a Delaware
Corporation,**

Plaintiffs,

v.

CIVIL ACTION NO. 1:11-cv-00075

**EQT PRODUCTION COMPANY, a Pennsylvania
Corporation,**

Defendant.

**EQUITABLE PRODUCTION COMPANY’S MOTION TO EXTEND DISCOVERY AND
DEFER CONSIDERATION OF PLAINTIFFS’ ANTICIPATED MOTION FOR
SUMMARY JUDGMENT**

Defendant Equitable Production Company (“EPC”) by and through its undersigned counsel, Richard L. Gottlieb, Esquire, Ramonda C. Lyons, Esquire, and Lewis Glasser Casey & Rollins PLLC, hereby moves this Honorable Court to extend the time period for discovery and to defer consideration of Plaintiffs’ anticipated Motion for Summary Judgment pursuant to Rules 37 and 56(d) of the Federal Rules of Civil Procedure. For the reasons more fully developed in the contemporaneously filed memorandum of law in support of this motion, the procedural posture of this matter warrants extension of the time period for discovery and deferral of the Court’s consideration of Plaintiffs’ anticipated motion for summary judgment. EPC attempted to resolve the issues raised in this motion with Plaintiffs’ counsel as part of the meet and confer, but the parties were unable to reach agreement and judicial intervention is necessary at this juncture.

Equitable Production Company

By Counsel

LEWIS GLASSER CASEY & ROLLINS PLLC

/s/ Ramonda C. Lyons

Richard L. Gottlieb (WV Bar 1447)

Webster J. Arceneaux, III (WVSB #155)

Ramonda C. Lyons (WV Bar 6927)

300 Summers Street, Suite 700

P.O. Box 1746

Charleston, WV 25326

Phone: 304-345-2000

Fax: 304-343-7999

CERTIFICATE OF SERVICE

I, Ramonda C. Lyons, hereby certify that on the 4th day of September, 2012, I electronically filed *Equitable Production Company's Motion to Extend Discovery and Defer Consideration of Plaintiffs' Anticipated Motion for Summary Judgment* with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Stuart A. McMillan, Esq.
Bowles Rice McDavid Graff & Love LLP
600 Quarrier Street
P.O. Box 1386
Charleston, WV 25325-1386

Kimberly S. Croyle, Esq.
Dylan C. Lewis, Esq.
Bowles Rice McDavid Graff & Love LLP
7000 Hampton Center
Morgantown, WV 26505
Counsel for Plaintiffs

/s/ Ramonda C. Lyons
Ramonda C. Lyons